

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

DAVID SETTERBERG,

No. C-05-1533 MMC

Plaintiff,

**ORDER DENYING MOTION TO
CONTINUE CASE MANAGEMENT
CONFERENCE**

v.

NEWPORT NEWS SHIPBUILDING AND
DRY DOCK COMPANY et al.,

(Docket No. 8)

Defendants.

Before the Court is the motion filed June 24, 2005 by plaintiff David Setterberg to continue the August 19, 2005 case management conference in the above-titled action. Plaintiff argues that a continuance is appropriate because defendants may ask the Judicial Panel on Multi-District Litigation ("MDL Panel") to transfer this action to the United States District Court for the Eastern District of Pennsylvania for coordinated or consolidated pretrial proceedings, and if defendants do so, it is unlikely that the MDL Panel will rule on that request prior to the current case management conference date. As no defendant has yet sought to transfer the above-titled action, however, plaintiff's request for a continuance is premature.

Accordingly, plaintiff's motion to continue the case management conference is hereby DENIED, without prejudice.

1 This order terminates Docket No. 8.

2 **IT IS SO ORDERED.**

3 Dated: June 30, 2005

/s/ Maxine M. Chesney
MAXINE M. CHESNEY
United States District Judge